



REPORTING OF THE RECORD TASK FORCE

Meeting Minutes

June 4 – 6, 2003

Administrative Office of the Courts
455 Golden Gate Avenue, San Francisco, CA 94102

TASK FORCE MEMBERS PRESENT:

Hon. James A. Ardaiz, Chair, Administrative Presiding
Justice of the Court of Appeal, Fifth Appellate District
Hon. S. William Abel, Presiding Judge, Superior Court
of Colusa County
Ms. Maura Baldocchi, CSR, Official Court Reporter,
Superior Court of San Francisco County
Mr. Ron D. Barrow, Clerk of the Court, Court of
Appeal, First Appellate District
Mr. Gary M. Cramer, CSR, Official Court Reporter,
Superior Court of Los Angeles County
Mr. Edward J. Horowitz, Esq., Law Offices of
Edward J. Horowitz
Ms. Barbara J. Lane, CSR, Supervisor, Court Reporters,
Superior Court of Riverside County
Mr. Len LeTellier, Executive Officer, Superior Court of
Sutter County
Mr. Gary Evan McCurdy, Esq., Assistant Director,
Central California Appellate Program
Ms. Jeanne Millsaps, Executive Officer, Superior Court
of San Joaquin County
Mr. Gordon Park-Li, Executive Officer, Superior Court
of San Francisco County
Ms. Kary Parker, CSR, Official Court Reporter, Superior
Court of Orange County
Mr. Tom Pringle, CSR, Official Court Reporter,
Superior Court of Shasta County
Mr. Paul J. Runyon, Administrator, Litigation Support,
Superior Court of Los Angeles County

TASK FORCE MEMBERS ABSENT:

Hon. John S. Einhorn, Assistant Presiding Judge,
Superior Court of San Diego County
Mr. Alan Slater, Chief Executive Officer, Superior Court
of Orange County
Ms. Fiel Tigno, Esq., Supervising Deputy
Attorney General, Office of the Attorney General,
Department of Justice

TASK FORCE LIAISON:

Ms. Julie R. Peak, CSR, Chair, Court Reporters Board of
California (**Absent**)

PRESENTERS:

Ms. Valerie DeClare, Court Division Chief, Superior Court
of Alameda County
Ms. Patricia Ryan, Deputy Court Executive Officer,
Superior Court of Monterey County
Mr. Tom Wood, Senior Research Attorney, Court of
Appeal, First Appellate District

GUESTS:

None

FACILITATOR:

Ms. Sharon Maher, Maher & Company (**Present**)

AOC STAFF PRESENT:

Ms. Pat Sweeten, Director, Executive Office Programs
Division
Ms. Christine E. Patton, Regional Director, Bay
Area/Northern Coastal Region
Ms. Sally Lee, Manager, Executive Office Programs
Division
Ms. Claudia Ortega, Lead Staff, Senior Court Services
Analyst, Executive Office Programs Division
Mr. Joshua Weinstein, Attorney, Office of the General
Counsel
Ms. Deborah Silva, Administrative Coordinator,
Executive Office Programs Division
Ms. Josely Yangco-Fronda, Administrative Coordinator,
Executive Office Programs Division

AOC STAFF ABSENT:

Mr. Martin Riley, Governmental Affairs Analyst, Office
of Governmental Affairs

Meeting Minutes

Wednesday, June 4, 2003

Item 1 Opening Remarks

Administrative Presiding Justice James A. Ardaiz, Chair of the Reporting of the Record Task Force, called the meeting to order at 1:15 p.m. Justice Ardaiz announced that Ms. Emily Flynn, the former attorney to the task force, had left the Administrative Office of the Courts (AOC) to enter private practice. Justice Ardaiz informed the task force that Mr. Joshua Weinstein (Attorney, Office of the General Counsel) would provide legal assistance until a permanent replacement for Ms. Flynn is assigned.

Item 2 Public Comment

Mr. Mark Hayes (Official Court Reporter, Superior Court of Orange County) addressed the task force. Mr. Hayes discussed his views concerning pro tem court reporters, supervision of court reporters, and the use of electronic recording to report dependency cases in juvenile court.

Ms. Robin Sunkees (Official Court Reporter, Superior Court of San Diego County, and President Elect of the California Court Reporters Association (CCRA)) expressed her perspective on the May 2003 meetings between court reporter leadership and the AOC.

Ms. Yvonne Fenner (freelance court reporter and Vice President of CCRA) expressed her view of the May 2003 meetings.

Mr. Mark Brickman (freelance court reporter) discussed his perceptions of the recent budget proposals regarding court reporting.

Item 3 Report on the May Meetings with Court Reporter Leadership and Union Representatives

Justice Ardaiz informed the task force that he and AOC staff met with court reporter association leadership and union representatives May 22 – 23, 2003. Justice Ardaiz explained that the AOC conducted surveys to gauge the courts' efficiency in collecting the court reporting fee. These surveys were conducted in response to court reporters' estimate that the courts were undercollecting this fee by approximately \$40 million annually. The AOC shared the results of these surveys with specific court reporter association leaders, specific court reporter union representatives, executive officers, and the task force members. The AOC found that the courts were undercollecting the fee by approximately \$1.8 to \$5 million dollars annually, and not by \$40 million.

Justice Ardaiz reported that an agreement was reached to require the trial courts to impose a fee of \$25 upon the filing of a civil action or proceeding where the amount demanded is in excess of \$10,000. The purpose of this fee is to offset the courts' costs in providing court reporting services. Justice Ardaiz expressed his hope that the court reporter leadership would still work with the AOC to resolve other outstanding issues.

Item 4 Recap – Delivery, Maintenance, and Storage of the Memorialized Oral Proceedings

In the interest of time, Ms. Sharon Maher postponed this agenda item until the next day.

Item 5 The Current and Future Delivery of Transcripts to the Courts of Appeal and Supreme Court – Panel Presentation

Ms. Maher reminded the task force that at its last meeting, it concluded that it needed a better understanding of how the trial courts deliver the transcripts to the appellate courts, and how the appellate courts receive and use the transcripts. Ms. Maher informed the task force that a panel of trial and appellate court staff was convened to share their experience. The presenters focused their discussion on their experience with transcript delivery and their recommendations for the future delivery of the electronic transcript. The following professionals participated on the panel: Mr. Ron D. Barrow (Clerk of the Court, Court of Appeal, First Appellate District, and task force member); Ms. Valerie DeClare (Court Division Chief, Superior Court of Alameda County); Ms. Patricia Ryan (Deputy Court Executive Officer, Superior Court of Monterey County); and Mr. Tom Wood (Senior Research Attorney, Court of Appeal, First Appellate District).

Item 6 Wrap Up of the Panel Presentation

The task force thanked the panelists for their insights and briefly discussed the panel presentation.

Item 7 Hotel Shuttle Information

Ms. Claudia Ortega conveyed the shuttle schedule to the task force.

Item 8 Other Business/Adjournment

With no further business, Justice Ardaiz adjourned the meeting at 5:00 p.m.

**Meeting Minutes
Thursday, June 5, 2003**

Item 1 Recap of the Previous Day's Discussion

Justice Ardaiz called the meeting to order at 8:55 a.m. and briefly summarized the previous day's discussion. He expressed his expectation that the task force would discuss the concept of a digital record, and how it would be transmitted, received, and processed.

Item 2 Public Comment

Ms. Arnella Sims (Official Court Reporter, Superior Court of Los Angeles County) addressed the task force. Ms. Sims expressed her perspective on the May 2003 meetings between the AOC and court reporter leadership. She also conveyed her views on how the relationship between the Judicial Council and the court reporting profession could be improved.

Item 3 Draft Minutes

Justice Ardaiz reminded the task force members that earlier staff had e-mailed the draft March 2003 minutes to them. Task force members had suggested minor amendments, which were included in the current version.

Motion by Justice Ardaiz: That the draft minutes of the March 2003 meeting be approved with the proposed amendments. First: Mr. Gary M. Cramer; Second: None.

- Passed by consensus of the task force - no opposing votes.

Justice Ardaiz advised the task force that the draft April 2003 minutes would be distributed later that afternoon for review and approval at the next day's meeting.

Item 4 Web Site Correspondence to the Task Force

Justice Ardaiz explained that staff from the State Department of Finance (DOF) e-mailed Ms. Ortega via the task force Web site. The staff person inquired about state testing of recent graduates from court reporting schools. Justice Ardaiz informed the task force members that Ms. Ortega phoned the staff person to convey that this matter does not fall within the purview of the task force and that the AOC has no data on this matter. The task force discussed this e-mail and the response by the Court Reporters Board of California. The task force decided to take no action regarding the correspondence from the DOF staff person.

Item 5 The Current and Future Delivery of Transcripts to the Courts of Appeal and Supreme Court

The task force utilized input from the previous day's panel to begin its discussion of the future delivery of the electronic transcript to the appellate courts and Supreme Court of California. The task force identified the key characteristics and data elements needed to facilitate the effective delivery of the electronic transcript to the higher courts.

Item 6 Reporting of the Record Task Force Interim and Final Reports

Due to time constraints, this agenda item was carried over to the next business meeting.

Item 7 Hotel Shuttle Information

Ms. Ortega shared the shuttle schedule with the task force.

Item 8 Adjournment

With no further business, Justice Ardaiz adjourned the meeting at 5:00 p.m.

Meeting Minutes

Friday, June 6, 2003

Item 1 Recap of the Previous Day's Discussion

Justice Ardaiz called the meeting to order at 9:00 a.m. He recapped the previous day's discussions and summarized the current day's agenda. He informed the task force that staff forgot to distribute the draft April 2003 minutes during the previous day. After the draft minutes were handed out, Justice Ardaiz asked the members to communicate any suggested changes to Ms. Ortega via e-mail. He also advised the task force that the business meeting previously scheduled for July/August 2003 was now cancelled as most of the court reporter members were unable to attend.

Item 2 Public Comment

Ms. Connie Parchman (Official Court Reporter, Superior Court of Alameda County) expressed her view of the task force and of the Judicial Council.

Item 3 Airport Shuttle Information

Ms. Ortega distributed the sign-up sheet for shuttles to the airports.

Item 4 The Current and Future Delivery of Transcripts to the Courts of Appeal and Supreme Court (Continued)

The task force revisited this agenda item so that it could complete its discussion. The task force finalized its matrix of the key characteristics and data elements for the electronic, appellate transcript.

Item 5 Recap – Delivery, Maintenance, and Storage of the Memorialized Oral Proceedings

The task force briefly reviewed the standards for delivery, maintenance, and storage of the memorialized oral proceedings that it had developed at the last meeting to verify no further changes were necessary.

Item 6 Differentiation of the Transcript Format – Identification of Common Events

The task force briefly discussed this agenda item. To focus the discussion, Justice Ardaiz asked the court reporter members to draft standards for identification of common events and speakers for the task force's review at the next business meeting. The court reporter members agreed to do so.

Item 7 Recap of Task Force Accomplishments to Date and Future Course of Action

Justice Ardaiz thanked the task force members for their contributions over the previous days. He reiterated that the standards for a digital and uniform transcript would result in significant benefits to all users in the judicial process. He thanked the court reporter members in particular for their cooperation through a difficult period and for their continued participation.

Item 8 Adjournment

With no further business, Justice Ardaiz adjourned the meeting at 12:00 p.m.